

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**ANTHONY P. BUDA,**

**Plaintiff,**

**v.**

**Case No. 14-CV-371**

**DAVID A. CLARKE, JR.,**

**Defendant.**

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**DECISION AND ORDER**

A review of this file discloses that defendant filed a motion for summary judgment on December 12, 2014. Court records indicate that copies of the motion and supporting brief were mailed to plaintiff on December 12, 2014. Under the applicable procedural rules, plaintiff's response to that motion should have been filed on or before January 12, 2015.

Briefing schedules are set forth in Civil Local Rules 7 and 56 (E.D. Wis.). Parties are expected to comply with the procedures and dates specified in the rule without involvement of the court. Court records show that plaintiff did not file any response to defendant's motion. Therefore,

**IT IS ORDERED** that this action be dismissed with prejudice for lack of prosecution effective **February 23, 2015**, pursuant to Civil Local Rule 41(c) (E.D. Wis.) (copy enclosed) and Federal Rule of Civil Procedure 41(b), unless prior to that date plaintiff responds to defendant's motion or establishes just cause for his failure to respond to said motion as required.

Dated at Milwaukee, Wisconsin, this 26th day of January, 2015.

s/ Lynn Adelman

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LYNN ADELMAN  
District Judge

**Civil Local Rule 41(c)**  
**Dismissal for Lack of Diligence**

Whenever it appears to the Court that the plaintiff is not diligently prosecuting the action, the Court may enter an order of dismissal with or without prejudice. Any affected party may petition for reinstatement of the action within 21 days.